

To: Nina Bell (should the attorneys be cc'ed?)

From: Christine Psyk (cc Lynda Hall, Joelle Gore, attorneys? Bc to the rest of us)

Re: Bimonthly Progress Report on OR CZARA Progress being made toward meeting the January 30, 2015 decision deadline

Date: July 30, 2014

As NOAA and EPA committed to in our June 4, 2014, letter to the Northwest Environmental Advocates, below is the federal agencies' first bi-monthly report on the progress being made toward meeting the January 30, 2015, date to make a final determination on Oregon's Coastal Nonpoint Program. We look forward to providing you with additional progress updates by September 30 and November 30.

To date, NOAA and EPA have completed the following:

- Posted all comments received, including the state's response, on NOAA's website for public viewing at http://coastalmanagement.noaa.gov/nonpoint/pro_approve.html#Oregon.
- Sent letter to Oregon on June 30, 2014, that NOAA and EPA intend to take final action by January 30, 2015, on the federal agencies' proposed determination that Oregon has failed to submit an approvable coastal nonpoint program.
- Established a process and schedule for reviewing and carefully considering all comments and developing responses to them.
- Categorized all comments received into seven major categories and numerous subcategories, to aid in review.
- Set up five topic teams to lead review and discussion for various aspects of Oregon's program and prepare written responses to the comments and update the proposed decision rationales, as needed (i.e., new development/onsite sewage disposal systems, forestry-riparian areas, forestry-landslides, forestry-roads, forestry-pesticides, agriculture). Hold regular meetings for various groups:
 - Topic team (weekly): to discuss public comments, state submission, and potential responses to comments and changes needed to proposed decision rationales.
 - Technical team (weekly): to share progress of topic teams, get feedback from full technical team, t-up specific legal questions or decision points for legal and management teams, respectively, and ensure coordination among topic teams.
 - Managerial team (monthly): to provide programmatic guidance to technical team and weigh in on critical decision points.
 - Legal team (monthly): to provide legal guidance to technical and managerial teams.
- Held initial discussions on the following aspects of Oregon's program in consideration of the public comments received and the state's response (new development, OSDS, forestry-landslides, forestry-pesticides, agriculture, forestry-riparian, forestry-roads).
- Began drafting responses to comments related to general program issues, new development, OSDS, and ???.

Feel free to contact me via email or at 206-553-1906 or Joelle Gore at joelle.gore@noaa.gov or 301-563-1177 with any questions.

Ex. 5 - Attorney Client

To: Nina Bell (should the attorneys be cc'ed?)

From: Christine Psyk (cc Lynda Hall, Joelle Gore, attorneys? Bc to the rest of us)

Re: Bimonthly Progress Report on OR CZARA Progress being made toward meeting the January 30, 2015 decision deadline

Date: July 30, 2014

As NOAA and EPA committed to in our June 4, 2014, letter to the Northwest Environmental Advocates, below is NOAA/EPA's the federal agencies' first bi-monthly report on the progress being made toward NOAA/EPA taking a final action on our proposal that Oregon has not submitted an approvable coastal nonpoint pollution control program meeting the January 30, 2015, date to make a final determination on Oregon's Coastal Nonpoint Program (coastal nonpoint program). We look forward to providing you with additional progress updates by September 30 and November 30.

To date, NOAA and EPA have completed the following:

- Posted all comments received, including the state's response, on NOAA's website for public viewing at <http://coastalmanagement.noaa.gov/nonpoint/oregonDocket/publicComments.html> http://coastalmanagement.noaa.gov/nonpoint/pro_approve.html#Oregon.
- Sent letter to informing Oregon on June 30, 2014, that the NOAA and EPA agencies intend to take final action by January 30, 2015, on the federal agencies' our proposed determination that Oregon has failed to not submitted an approvable coastal nonpoint program by January 30, 2015.
- Established Set up a process and schedule for reviewing and carefully considering all comments and, developing responses to them, and revising the proposed decision rationales, as needed.
- Categorized all comments received into seven major categories and numerous subcategories, to aid in review.
- and Set up five technical topic teams to lead review and discussion for various aspects of Oregon's program and prepare written responses to the comments and update the proposed decision rationales, as needed (i.e., new development/onsite sewage disposal systems, forestry-riparian areas, forestry-landslides, forestry-roads, forestry-pesticides, agriculture). to conduct a technical review, prepare written responses to the comments and update the rationale, develop a set of legal and managerial issues that needs to be discussed.
- Conducting Holding regular meetings for various groups:
 - weekly Topic team meetings (weekly): to discuss public comments, state submission, and potential responses to comments and changes needed to proposed decision rationales.
 - weekly Technical team meetings (weekly): to share progress of topic teams, get feedback from full technical team, t-up specific legal questions or decision points for legal and management teams, respectively, and ensure coordination among topic teams.
 - monthly Managerial team (monthly): to provide programmatic guidance to technical team and weigh in on critical decision points. and monthly
 - Legal team (monthly): to provide legal guidance to technical and managerial teams, meetings during the summer.
- Held initial discussions on the following aspects of Oregon's program in that consideration of the public comments received and the state's response (new development, OSDS, forestry-landslides, forestry-pesticides, agriculture, forestry-riparian, forestry-roads).
- Drafting Began drafting responses to comments related to general program issues, new development, OSDS, and ???.
- Drafting updated decision rationales for new development and OSDS.

Comment [AC2]: I suppose if this is an email, date is self evident so may not need. However, may be good to formally reflect in title that this is our July update? Perhaps overkill?

Comment [AC3]: May be helpful to specifically reference the prior letter.

Comment [AC4]: This link will get you to both public comments and the state's response.

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Comment [AC5]: To be consistent with language used below.

Comment [AC6]: Perhaps too much detail?

Comment [AC7]: Not sure we need to say this. Hopefully implied by saying we have monthly mngt/legal meetings to discuss pertinent issues.

Comment [AC8]: I thought this sentence was a little confusing. Perhaps breaking each meeting down and describing purpose could help?

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- ~~Anticipate completing a majority of the response to comments and rationale documents by the end of the summer.~~

Comment [AC9]: Comment from Lynda:
Recommend deleting. Since this is an update on progress to date, we are better off refraining from including future timeframes and expected outcomes.

Feel free to contact me via email or at 206-553-1906 or Joelle Gore at joelle.gore@noaa.gov or 301-563-1177 with any questions.